

**THE CORPORATION OF THE CITY OF NORTH BAY**

**BY-LAW NO. 2001-30**

**A BY-LAW TO DESIGNATE A SITE PLAN  
CONTROL AREA ON CERTAIN LANDS ON  
DREE STREET  
(1323270 ONT. INC. - JOHN & MICHELLE KAIN)**

WHEREAS the Council of The Corporation of the City of North Bay, hereinafter referred to as the "City", deems it desirable to designate a Site Plan Control Area in the City of North Bay pursuant to Section 41 of the Planning Act R.S.O. 1990 as amended;

AND WHEREAS the Council deems it desirable to delegate to the Chief Administrative Officer the authority to enter into an agreement respecting the matters referred to herein;

AND WHEREAS Council intends to pass By-law NO. 2001-29 to rezone the subject lands to a "Restricted Industrial (M5)" zone to establish an auto recycling and auto sales/servicing operation.

**NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF NORTH BAY HEREBY ENACTS AS FOLLOWS:**

- 1) That certain parcel of land, composed of Plan M-499, Lots 6 and 6A, Parcels 18836 and 18898, Part 2, 36R-10686, Part 6, 36R-10763 along Dree Street in the City of North Bay, which lands are more particularly described on Schedule "A" attached hereto, is hereby designated as a Site Plan Control Area.
  
- 2) As a condition of approval of buildings and structures on the subject lands, no building or structure shall be erected, constructed, or placed on said Site Plan Control Area until the owner of the Site Plan Control Area has entered into an agreement with The Corporation of the City of North Bay respecting the provisions, to the satisfaction of and at no expense to the City of the following matters:
  - a) Parking facilities, both covered and uncovered, and access driveways and the surfacing of such areas and driveways;
  - b) walkways and the surfacing thereof;
  - c) facilities for lighting, including floodlighting;
  - d) walls, fences, hedges, trees or shrubs, or other groundcover or facilities for the landscaping of the lands;
  - e) collection areas and other facilities and enclosures for the storage of garbage and other waste material;

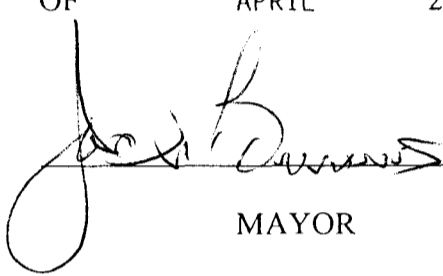
- f) grading or alteration in elevation or contour of the land and provision for the disposal of storm, surface and waste water from the land and from any buildings or structures thereon.
- 3) AS a condition of approval, the owner shall enter into an agreement with the City to demonstrate, to the satisfaction of the City Engineer, the location, design and adequacy of a central garbage collection and recycling facilities to be fully enclosed and to be located on the subject lands to the continuing satisfaction of the City Engineer.
- 4) As a condition of approval the owner shall provide and maintain a Site Servicing Plan which shall include:
- i) a lot grading plan to the continuing satisfaction of the City Engineer and at no expense to the City;
  - ii) storm water management practices to the continuing satisfaction of the City Engineer.
- 5) a) The Chief Administrative Officer is hereby authorized to enter into, under Corporate Seal, one or more agreements on behalf of The Corporation of the City of North Bay with the owner of the subject lands herein to ensure the provision of all the facilities mentioned in this By-law, and to impose a fee of \$500.00 upon the owner for preparation and registration of each agreement.
- b) The said Agreement may be registered against the lands to which it applies and the City may enforce the provisions of the Registry Act or any successor legislation thereto and The Land Titles Act or any successor legislation thereto against any and all subsequent owners of the land.
- 6) a) The said Agreement shall be binding on the owner, its successors, assigns and heirs.
- b) The owner shall authorize the City to exercise the provisions of Section 326 of The Municipal Act, R.S.O. 1990, Chapter **M.45**, as amended and any successor legislation thereto in the event of a breach by the owner of a condition of this agreement.

7) This By-law comes into force and effect upon being finally passed.

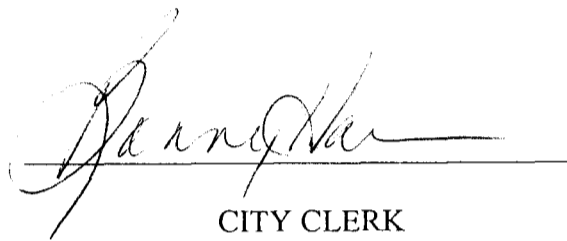
READ A FIRST TIME IN OPEN COUNCIL THE 2ND DAY OF APRIL  
2001.

READ A SECOND TIME IN OPEN COUNCIL THE 17TH DAY OF APRIL  
2001

READ A THIRD TIME IN OPEN COUNCIL AND PASSED THIS 17TH DAY  
OF APRIL 2001.



MAYOR




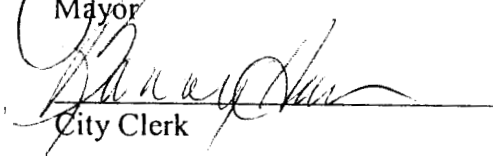
CITY CLERK

This is Schedule "A"

To By-Law No. 2001-30

Passed the 17th day of April

2001.

  
Mayor  
  
City Clerk

